

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In the Matter of

Case Number: 1:08-cv-02530

DAVID KRAMER, individually, and as the
President and Sole Owner of CERTIFIED
CAR SALES, LLC, a Missouri Limited
Liability Company

Judge Ruben Castillo

v.

SHERIFF'S DEPUTY STEVEN STELTER,
Individually and as a Deputy of the DuPage
County Sheriff's Office; JOHN P.
CREEDON, Individually and as Director of
the Tri-County Auto Theft Unit; MICHAEL J.
COLANDO, deceased, individually and as a
member of PUGI KIA, LLC and as the
President and sole owner of D&M AUTO
SALES, INC.; DOMINIC L. PUGLIANO,
Individually, and as a member of PUGI KIA,
LLC; LARRY M. HALL, Individually and as
a Manager of PUGI KIA, LLC; ANTHONY J.
COLANDO, JR, Individually and as a
Manager of PUGI KIA, LLC; ANTHONY J.
COLANDO, SR, not individually, but as
named executor in his capacity as executor of
the estate of MICHAEL J. COLANDO,
deceased; DOMINIC MANCINI,
Individually, and as an attorney; PUGI, KIA,
LLC; D&M AUTO SALES, INC.; KIA
MOTORS AMERICA, INC.; VW CREDIT,
INC.,

**DEFENDANT KIA MOTORS AMERICA, INC.'S MOTION
FOR AN EXTENSION TO FILE A RESPONSIVE PLEADING TO THE COMPLAINT**

Defendant Kia Motors America, Inc. ("KMA") hereby moves to extend the date for filing its responsive pleading to the Complaint filed by David Kramer ("Complaint"). In support of this motion, KMA states as follows:

1. On May 2, 2008, Plaintiff, David Kramer ("Kramer") filed the Complaint against

KMA and seventeen other defendants. The Complaint alleges, *inter alia*, that the defendants engaged in a series of frauds, forgeries, misrepresentations, falsified statements and conversion of Kramer's property.

2. On May 5, 2008, KMA was served with the Complaint. As such, KMA is required to file a responsive pleading on or before May 27, 2008.

3. In the time following the filing of the Complaint, KMA has been engaged in the process of analyzing the allegations. However, due to the number of allegations in the complaint, the number of counts against KMA and the complexity of the suit, KMA requests an additional 21 days to file a responsive pleading. More specifically, the Complaint is 108 pages long. The Complaint contains forty-five (45) factual and legal counts against the defendants. And the Complaint contains five hundred and twenty five (525) paragraphs of factual allegations. In addition, the complaint makes complicated allegations. For example, Kramer alleges 12 counts of mail and wire fraud allegedly perpetrated amongst 10 separate people and organizations in an alleged conspiracy to violate the Racketeer Influenced and Corrupt Organizations Act. 18 U.S.C. § 1962(d) ("RICO").

4. For the reasons stated above, KMA seeks a 21 day extension to file a responsive pleading to the Complaint. The new date for KMA to file a responsive pleading would be **June 18, 2008**

5. A trial has not been set in this action, so this extension would not compromise the trial date.

WHEREFORE, Defendant Kia Motors America, Inc. respectfully requests that this honorable Court:

- a. Grant this Motion for a 21 Day Extension to File a Responsive Pleading to The Complaint; and
- b. Grant all other relief that this Court deems just and proper.

Dated: May 20, 2008

Respectfully submitted,

KIA MOTORS AMERICA, INC.

By: s/ Roger H. Stetson
One of its attorneys

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